

REMARKS

Applicants thank the Examiner for the through consideration given the present application. Claims 1-11 and 14-21 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 13-21 as being allowable if re-written in independent form. Although not conceding the appropriateness of the Examiner's rejections, claim 1 has be re-written to include the limitations of claims 12 and 13. Accordingly, all of the claims are now in condition for allowance.

Claim for Priority

It is gratefully acknowledged that the Examiner has recognized Applicants' claim for foreign priority and the receipt of the certified copies. In view of the fact that Applicants' claim for foreign priority has been perfected, no additional action is required from Applicants at this time.

Drawings

The Official Draftsperson has not approved the formal drawings submitted by Applicants. It is respectfully submitted that the drawings comply with the requirements of the U.S. Patent and Trademark Office. If the Official Draftsperson has any objections to the formal drawings, he is respectfully requested to contact the undersigned as soon as possible so that appropriate action may be taken. No further action is believed to be necessary at this time unless the undersigned receives a notice from the Official Draftsperson.

Acknowledgement of Information Disclosure Statement

The Examiner has acknowledged the Information Disclosure Statement filed on September 27, 2004. An initialed copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

Rejection Under 35 USC 102

Claims 1-12 and 22 stand rejected under 35 USC 102 as being anticipated by Curtis et al. (US Patent 6,545,884). This rejection is respectfully traversed.

First, it is noted that while the Examiner has initially referred to the Curtis et al. reference the paragraph describing the rejection refers to "Decker et al.". It is assumed that this was a clerical mistake and that indeed the reference that the Examiner refers to is indeed US Patent 6,545,884. It is further noted that the correct name of the inventorship of this patent is Curtiss and not Curtis et al. as discussed by the Examiner.

By way of the present Amendment, Applicants have added the limitations of claims 12 and 13 to claim 1. Since the Examiner has indicated that claim 13 would be allowable if re-written in independent form including all of the limitations of the intervening claims, Applicants submit that claim 1 is now allowable. Claims 2-11 and 14-21 depend from claim 1 and as such are also considered to be allowable.

Claim 22 has been cancelled rendering this part of the rejection moot.

Conclusion

In view of the above remarks and the Examiner's earlier comments, it is believed that all of claims are now allowable. Accordingly, an early and favorable action is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse Reg. No. 27,295 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Application No 10/509,027
Amendment dated March 21, 2007
Reply to Office Action of September 21, 2006

Docket No : 1817-0152PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: March 21, 2007

Respectfully submitted,

By 

for James M. Slattery

MS Registration No.: 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

43,368